

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>ROGELIO ZALDIVAR-PENA,</b>	:	
<b>Petitioner</b>	:	
	:	<b>No. 1:18-cv-2347</b>
<b>v.</b>	:	
	:	<b>(Judge Rambo)</b>
<b>KATHY BRITTAIN, <i>et al.</i>,</b>	:	
<b>Respondents</b>	:	

**ORDER**

**AND NOW**, on this 20<sup>th</sup> day of May 2019, in accordance with the accompanying Memorandum, **IT IS ORDERED THAT:**

1. Petitioner Rogelio Zaldivar-Pena's petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2254 (Doc. No. 1), is **DENIED**;
2. No certificate of appealability shall issue, as Petitioner has failed to demonstrate "a substantial showing of the denial of a constitutional right," 28 U.S.C. § 2253(c)(2); *see also Miller-El v. Cockrell*, 537 U.S. 322, 335-36 (2003); *Slack v. McDaniel*, 529 U.S. 473, 484 (2000); and
3. The Clerk of Court is directed to **CLOSE** this case.

s/Sylvia H. Rambo  
SYLVIA H. RAMBO  
United States District Judge